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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA,

15-cr-643 (PKC)

-against-

ORDER

GARY HIRST,

Defendant.
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CASTEL, U.S.D.J.

The Court has received an ex parte application dated June 17, 2016 from counsel for Gary Hirst seeking an order compelling the government to produce certain purported Brady materials and moving in limine for an order permitting Hirst to present certain evidence at trial.

Consistent with its ex parte nature, neither the government nor any defendant are listed as having received a copy of the unfiled application. The rights of co-defendants are necessarily implicated by the application and, if granted, it would be a precursor to a severance motion. Within five (5) days, Mr. Tremonte should explain in writing with citations to the relevant provisions of federal law and the Rules of Professional Conduct the propriety of submitting such an application to a Court without, at a minimum, offering the government an opportunity to be heard.

Defense counsel shall forthwith serve the application on all parties. A redacted version shall be filed on the public record within five (5) days. The government and any co-defendant wishing to be heard shall respond to the letter application by July 6, 2016.

SO ORDERED.

P. Kevin Castel
United States District Judge

Dated: New York, New York
June 20, 2016